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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

12 UNITED STATES OF AMERICA, No. CR 09-1157 DLJ

13 Plaintiff,

**STIPULATION AND ORDER TO
CONTINUE SENTENCING DATE**

14 v.

15 JOSE ANTONIO CRUZ

16 Defendant.

17 The defendant Jose Cruz is scheduled to be sentenced on October 1, 2010. The Court
18 re-set the sentencing to October 1, 2010, after informing the parties that the original date of
19 September 24, 2010, was vacated due to the Court's unavailability. Subsequent to this re-
20 setting, defense counsel became aware of a scheduling conflict with respect to the October
21 1, 2010, sentencing date. Therefore Mr. Cruz, by and through counsel, and the United States
22 do hereby stipulate and agree, and do jointly request that the Court (1) vacate the October 1,
23 2010, sentencing date and (2) re-set the sentencing date for the defendant Jose Cruz to

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1 || October 8, 2010, at 10:00 a.m.

3 || IT IS SO STIPULATED

5 || Dated: September 1, 2010

/s/
DOUGLAS HORNGRAD
Attorney for Defendant
JOSE CRUZ

8 || Dated: September 1, 2010

/s/
GARTH HIRE
Assistant United States Attorney

ORDER

Good cause appearing, it is hereby ORDERED that the sentencing hearing for the defendant Jose Cruz previously scheduled for October 1, 2010, be continued to October 8, 2010, at 10:00 a.m.

Dated: September 2, 2010



D. LOWELL JENSEN
United States District Court Judge